



The Journal OF THE *House of Representatives*

Number 23

Monday, February 17, 2020

Introduction and Reference

By the Health Market Reform Subcommittee; Representative Toledo—

HB 7089—A bill to be entitled An act relating to nicotine products; revising the title of ch. 569, F.S.; renaming ch. 569, F.S.; providing directives to the Division of Law Revision; amending s. 569.002, F.S.; providing definitions for "nicotine products" and "nicotine dispensing devices"; amending ss. 569.004, 569.006, and 569.009 F.S.; conforming provisions to changes made by the act; amending s. 569.0073, F.S.; revising an exception to a prohibition of the offer for sale at retail of specified items; amending s. 569.12, F.S.; expanding authority of tobacco product enforcement officers to include nicotine products; amending s. 569.14, F.S.; revising requirements for certain signage; amending s. 569.19, F.S.; conforming a provision to changes made by the act; creating s. 569.31, F.S.; providing definitions; creating s. 569.32, F.S.; requiring retailers of nicotine products to have a permit; providing requirements for such permit; creating s. 569.33, F.S.; providing for consent to inspection and search; creating s. 569.34, F.S.; prohibiting certain persons, firms, associations, or corporations from operating without a permit; providing a penalty; creating s. 569.35, F.S.; providing administrative penalties for retail nicotine product dealers under certain circumstances; creating s. 569.37, F.S.; providing restrictions of the sale or delivery of nicotine products; creating s. 569.38, F.S.; prohibiting giving nicotine product samples to certain persons; creating s. 569.381, F.S.; providing legislative intent, qualifications for responsible retail nicotine product dealers, and mitigation of disciplinary penalties; creating s. 569.39, F.S.; providing rulemaking authority; creating ss. 569.41 and 569.42, F.S.; providing civil and criminal penalties; creating s. 569.43, F.S.; providing signage requirements; creating s. 569.44, F.S.; requiring an annual report; creating s. 569.45, F.S.; providing requirements for remote sales of nicotine products; providing a criminal penalty for knowingly violating such requirements; amending s. 768.73, F.S.; revising punitive damages; repealing s. 877.112, F.S., relating to nicotine products and nicotine dispensing devices; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

By Representative Fernandez-Barquin—

HR 8047—A resolution recognizing the friendship between Florida and Puerto Rico.

First reading by publication (Art. III, s. 7, Florida Constitution).

First Reading of Committee and Subcommittee Substitutes by Publication

By the Education Committee; and PreK-12 Innovation Subcommittee; Representatives Sirois, Gregory, and D. Smith—

CS/CS/HB 445—A bill to be entitled An act relating to military service educational opportunities; amending s. 1003.05, F.S.; revising student enrollment preferences relating to certain military transfers; amending s. 1008.34, F.S.; revising the calculation of school grades by a specified date to include students who earned a specified score on the Armed Services Vocational Aptitude Battery (ASVAB); providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

By the Commerce Committee; and Energy & Utilities Subcommittee; Representative DuBose—

CS/CS/HB 755—A bill to be entitled An act relating to public records and meetings; amending s. 119.071, F.S.; providing an exemption from public records requirements for certain documents which depict the structural elements of certain 911, E911, or public safety radio communication system infrastructure, structures, or facilities; providing an exemption from public records requirements for geographical maps indicating the actual or proposed locations of certain 911, E911, or public safety radio communication system infrastructure, structures, or facilities; providing for retroactive application; authorizing disclosure under certain circumstances; defining the term "public safety radio"; providing for future legislative review and repeal of the exemptions; amending s. 286.0113, F.S.; providing an exemption from public meetings requirements for portions of meetings that would reveal certain documents depicting the structural elements of 911, E911, or public safety radio communication system infrastructure, structures, or facilities, or geographical maps indicating the locations or proposed locations of 911, E911, or public safety radio communication system infrastructure, structures, or facilities; requiring the recording and transcription of exempt portions of such meetings; providing an exemption from public records requirements for such recordings and transcripts; providing an exception; defining the term "public safety radio"; providing for future legislative review and repeal of the exemption; providing a statement of public necessity; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

By the Judiciary Committee; Representative Beltran—

CS/HB 783—A bill to be entitled An act relating to the Uniform Commercial Real Estate Receivership Act; creating chapter 714, F.S., relating to the Uniform Commercial Real Estate Receivership Act; providing

a short title; defining terms; prohibiting a court from issuing certain orders unless certain requirements are met; providing requirements for certain court orders; providing construction and applicability; specifying that a court has exclusive jurisdiction to direct receivers and determine controversies under certain circumstances; providing requirements and authorizations relating to the appointment of a receiver; authorizing certain parties to move to dissolve or modify certain orders; requiring that such motions be heard within a specified timeframe; specifying when a person is or is not disqualified from appointment as a receiver; authorizing certain persons to nominate someone to serve as a receiver; specifying that the court is not bound by such nomination; requiring a receiver to post a bond with the court which meets certain requirements; providing an exception; prohibiting a claim against a receiver's bond or alternative security from being made after a certain time; providing that an appointed receiver has certain statuses of a lien creditor; providing that certain property is subject to specified security agreements; providing requirements relating to the collection and turnover of receivership property; providing for powers and duties of a receiver; authorizing the court to expand, modify, or limit such powers and duties; providing for duties of an owner; authorizing a court to take certain actions if a person knowingly fails to perform a duty; authorizing a court to take certain actions relating to stays and injunctions; providing requirements for certain injunctions; authorizing certain persons to apply for relief from a stay or injunction; requiring that certain motions be heard within a specified timeframe; specifying when an order does not operate as a stay or injunction; authorizing receivers to engage and compensate certain professionals under certain circumstances; requiring certain persons to file an itemized statement with the court; requiring a receiver to pay an amount approved by the court; defining the term "good faith"; authorizing a receiver to use or transfer receivership property other than in the ordinary course of business under certain circumstances; providing for the service of notice to lienholders who are not parties to the action; defining the term "timeshare interest"; authorizing a receiver to adopt or reject an executory contract of the owner relating to receivership property under certain circumstances; requiring that a claim of damages for rejection of a contract be submitted within a specified timeframe; authorizing a purchaser to take certain actions if a receiver rejects an executory contract under certain circumstances; prohibiting a receiver from rejecting unexpired leases of certain property under certain circumstances; providing for defenses and immunities of a receiver; providing requirements for interim reports filed by a receiver; providing requirements relating to notices of appointment; authorizing the court to enter certain orders if the court concludes that receivership property is likely to be insufficient to satisfy certain claims; providing requirements for certain distributions of receivership property; authorizing a court to award fees and expenses; authorizing a court to order certain persons to pay fees and expenses; providing for the removal and replacement of a receiver and the termination of a court's administration of the receivership property under certain circumstances; requiring a receiver to file a final report containing certain information upon completion of the receiver's duties; specifying that a receiver is discharged if certain requirements are met; authorizing a court to appoint ancillary receivers under certain circumstances; providing for rights, powers, and duties of an ancillary receiver; specifying that certain requests, appointments, and applications by a mortgagee do not have certain effects; providing construction and applicability; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

By the Commerce Committee; and Business & Professions Subcommittee; Representative Stevenson—

CS/CS/HB 867—A bill to be entitled An act relating to public accountancy; amending s. 212.055, F.S.; authorizing a vendor to complete a performance audit of the program associated with a proposed surtax; revising the definition of the term "performance audit"; amending s. 473.308, F.S.; requiring certain applicants to not be licensed in any state or territory in order to be licensed by endorsement; amending s. 473.311, F.S.; providing license renewal requirements for nonresident licensees; amending s. 473.312, F.S.;

requiring that a majority of the hours required for continuing education include specific content; amending s. 473.313, F.S.; authorizing certain Florida certified public accountants to apply to the Department of Business and Professional Regulation to have their license placed in a retired status; providing requirements for such conversion; providing requirements and prohibitions for retired licensees; authorizing retired licensees to use a specified title under certain circumstances; providing that retired licensees are not required to maintain continuing education requirements; authorizing retired licensees to reactivate their licenses if certain conditions are met; defining the term "retired licensee"; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

By the Education Committee; and PreK-12 Innovation Subcommittee; Representatives Duggan and Daniels—

CS/CS/HB 883—A bill to be entitled An act relating to education; amending s. 1001.10, F.S.; requiring the Department of Education to maintain a disqualification list of certain persons; providing for the removal of a person from a specified list under certain circumstances; requiring the State Board of Education to adopt rules; requiring the department to provide access to specified information to certain staff for specified purposes; amending s. 1001.20, F.S.; authorizing the Office of Inspector General within the Department of Education to issue and serve certain subpoenas for specified purposes; authorizing the inspector general to petition circuit courts for specified purposes; amending s. 1001.42, F.S.; providing that certain provisions relating to conduct and prohibition from employment apply to educational support employees; providing for the prohibition of certain employees and personnel under certain circumstances; requiring district school boards to report specified persons to the department for inclusion on a certain list; providing that a school board official forfeits his or her salary for 1 year under additional circumstances; amending s. 1001.51, F.S.; providing that a district school superintendent forfeits his or her salary for 1 year under additional circumstances; amending s. 1002.33, F.S.; prohibiting certain individuals from employment at a charter school; providing requirements for charter schools relating to employing certain individuals; requiring the governing board of a charter school to establish the duty of instructional personnel and school administrators to report specified alleged misconduct by certain individuals; prohibiting a person on the disqualification list from employment in specified positions; requiring a charter school to report specified persons to the department for inclusion on a certain list; amending s. 1002.421, F.S.; requiring certain private schools to include educational support employees in specified policies; requiring certain private schools to deny employment to certain individuals; prohibiting the employment of certain employees and personnel under circumstances; requiring private schools to report specified persons to the department for inclusion on a certain list; authorizing the Commissioner of Education to permanently revoke an owner's or operator's authority to establish or operate a private school in the state under certain circumstances; amending s. 1006.061, F.S.; revising the contents of a sign certain educational entities are required to post to include information relating to reporting of certain criminal acts; conforming provisions to changes made by the act; amending s. 1012.27, F.S.; revising the requirements for certain employment history checks to include a specified affidavit; amending s. 1012.31, requiring certain persons to execute and maintain an affidavit of separation form for specified purposes; providing requirements for such affidavit; amending s. 1012.315, F.S.; providing that certain individuals are ineligible for an educator certification or specified employment; amending s. 1012.795, F.S.; revising acts that warrant a disciplinary action by the commission; amending s. 1012.796, F.S.; prohibiting the department from issuing a certificate to certain persons; requiring the commissioner to make a determination of probable cause within a specified timeframe for complaints relating to sexual misconduct with a student; providing for such timeframe to be held in abeyance under certain circumstances; providing construction; requiring certain individuals to be placed on a disqualification list; requiring the commissioner to remove certain suspended personnel or administrators from

certain positions under specified circumstances; requiring a district school superintendent to immediately suspend certain individuals and take specified action as a results of alleged misconduct; prohibiting certain individuals from serving or applying to serve in specified positions at public schools and specified private schools; providing a timeframe for specified investigations; providing timeframe for administrative suspension; providing criminal penalties; amending s. 1012.797, F.S.; requiring law enforcement notification to charter and private schools; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

By the Education Committee; Representatives McClain and Donalds—

CS/HB 953—A bill to be entitled An act relating to charter schools; amending s. 1002.33, F.S.; authorizing state universities and Florida College System institutions to solicit applications for and sponsor charter schools under certain circumstances; authorizing a state university or Florida College System institution to, at its discretion, deny an application for a charter school; revising the contents of an annual report that charter school sponsors must provide to the Department of Education; revising the date by which the department must post a specified annual report; revising provisions relating to Florida College System institutions that are operating charter schools; requiring the board of trustees of a state university or Florida College System institution that is sponsoring a charter school to serve as the local educational agency for such school; prohibiting certain charter school students from being included in specified school district grade calculations; requiring the department to develop a sponsor evaluation framework; providing requirements for the framework; deleting obsolete language; revising the student populations for which a charter school is authorized to limit the enrollment process; providing a calculation for the operational funding for a charter school sponsored by a state university or Florida College System institution; requiring the department to develop a tool for state universities and Florida College System institutions for specified purposes relating to certain funding calculations; providing that such funding must be appropriated to the charter school; providing for capital outlay funding for such schools; conforming provisions to changes made by the act; amending s. 1003.493, F.S.; authorizing a career and professional academy to be offered by a charter school; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

By the Education Committee; and Higher Education & Career Readiness Subcommittee; Representative Mariano—

CS/CS/HB 1203—A bill to be entitled An act relating to pathways to career opportunities; amending s. 445.07; revising requirements for the economic security report of employment and earning outcomes; amending s. 446.011, F.S.; revising legislative intent related to apprenticeship training; amending s. 446.021, F.S.; defining and revising terms; amending s. 446.032, F.S.; revising the general duties of the Department of Education with regard to apprenticeship and preapprenticeship programs; amending s. 446.041, F.S.; revising duties of the department for apprenticeship and preapprenticeship programs; amending s. 446.045, F.S.; revising the membership of the State Apprenticeship Advisory Council; revising meeting requirements for such council; conforming provisions to changes made by the act; amending s. 446.051, F.S.; providing that apprenticeship or preapprenticeship program sponsors are responsible for the selection and training of certain personnel, as approved by the department; encouraging district school boards and Florida College System institution and state university boards of trustees to cooperate with and providing certain resources for specified programs; amending s. 446.052, F.S.; encouraging certain boards of trustees to cooperate in developing and establishing certain apprenticeship and preapprenticeship programs; encouraging such boards and boards of trustees to cooperate with certain degree programs and certificate programs to ensure that certain individuals may be eligible to receive certain college credit; amending s. 446.071, F.S.; providing that certain organizations may be apprenticeship

sponsors if they meet certain uniform minimum standards; updating terminology; deleting a specified definition; amending s. 446.081, F.S.; revising the applicability of a certain limitation; repealing s. 446.091, F.S., relating to the adaptation and applicability of certain provisions to on-the-job training programs; amending s. 446.092, F.S.; revising criteria for apprenticeship occupations; amending s. 1007.23, F.S.; requiring the statewide articulation agreement contain certain mathematics pathways; providing requirements for such pathways; requiring the Articulation Coordinating Committee to convene a representative workgroup; providing duties and membership of the workgroup; providing reporting requirements for the workgroup; requiring the Articulation Coordinating Committee to approve the mathematics pathways by a specified date; providing for termination of the workgroup; requiring the Commissioner of Education to submit to certain entities by a specified date a report with recommendations relating to the implementation of the Pathways in Technology Early College High School program, or a similar program; providing requirements for such program and report; providing for expiration; amending s. 1008.44, F.S.; requiring the CAPE Industry Certification Funding List to incorporate by reference the industry certifications on the career pathways list approved for the Florida Gold Seal CAPE Scholars award; providing requirements for industry certifications associated with aviation-related and aerospace-related occupations; providing that such certifications are eligible for additional full-time equivalent membership; providing that the commissioner may limit CAPE industry certification and CAPE Digital Tool certificates to students in certain grades for a specified purpose; amending s. 1011.62, F.S.; revising the calculation of certain additional full-time equivalent membership relating to funding for the operation of schools; deleting a provision related to full-time equivalent membership calculation for elementary and middle students; providing for a calculation of full-time equivalent membership for aviation-related and aerospace-related occupations; providing for the future expiration of such calculation; authorizing the use of a specified percentage of certain funds for other program expenses; limiting the amount of funds that may be used for administrative costs; prohibiting the use of such funding to supplant certain funds; amending s. 1011.80, F.S.; revising performance funding for industry certifications for school district workforce education programs to provide for Federal Aviation Administration (FAA) industry certifications; providing for the future expiration of specified performance funding; amending s. 1011.802, F.S.; making technical changes; prohibiting the use of grant funds for administrative costs; specifying the maximum amount of funds that may be used by the department to administer the Florida Pathways to Career Opportunities Grant Program; amending s. 1011.81, F.S.; revising performance funding for industry certifications for Florida College System Institutions to provide for FAA industry certifications; providing for the future expiration of specified performance funding; reenacting s. 1009.25, F.S., relating to fee exemptions; providing effective dates.

First reading by publication (Art. III, s. 7, Florida Constitution).

By the Education Committee; and PreK-12 Innovation Subcommittee; Representatives Fine, Caruso, Massullo, and Polsky—

CS/CS/HB 1213—A bill to be entitled An act relating to Holocaust education; amending s. 1003.42, F.S.; including the study of a specified policy against anti-Semitism in specified instruction; providing school district and Department of Education requirements relating to such instruction; authorizing the department to work with certain entities for specified purposes relating to required instruction; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

Reference

CS/HB 1—Referred to the Calendar of the House.

CS/CS/CS/HB 391—Referred to the Calendar of the House.

CS/HB 401—Referred to the Calendar of the House.

CS/CS/HB 445—Referred to the Calendar of the House.

CS/CS/CS/HB 647—Referred to the Calendar of the House.

CS/HB 675—Referred to the Calendar of the House.

CS/CS/CS/HB 713—Referred to the Calendar of the House.

CS/CS/HB 755—Referred to the Calendar of the House.

CS/CS/HB 767—Referred to the Calendar of the House.

CS/CS/HB 867—Referred to the Calendar of the House.

CS/CS/HB 883—Referred to the Calendar of the House.

CS/CS/HB 915—Referred to the Calendar of the House.

CS/HB 953—Referred to the Calendar of the House.

CS/CS/HB 1203—Referred to the Calendar of the House.

CS/CS/HB 1213—Referred to the Calendar of the House.

CS/CS/HB 1255—Referred to the Calendar of the House.

CS/HB 7039—Referred to the Calendar of the House.

CS/HB 7063—Referred to the Health & Human Services Committee.

CS/HB 7065—Referred to the Calendar of the House.

CS/HB 7073—Referred to the Calendar of the House.

HB 7087—Referred to the Appropriations Committee.

Cosponsors

HB 261—Goff-Marcil

HB 263—Goff-Marcil

HB 265—Maggard

HB 761—C. Smith

CS/HB 793—Goff-Marcil

HB 795—Goff-Marcil

HB 859—Joseph

HB 889—Toledo

HB 1123—Eskamani

Reports of Standing Committees and Subcommittees

Received February 14:

The Education Committee reported the following favorably:
CS/HB 445 with committee substitute

The above committee substitute was transmitted to the Office of the Speaker, subject to referral under Rule 7.18(c). Under the rule, CS/HB 445 was laid on the table.

The Commerce Committee reported the following favorably:
CS/HB 755 with committee substitute

The above committee substitute was transmitted to the Office of the Speaker, subject to referral under Rule 7.18(c). Under the rule, CS/HB 755 was laid on the table.

The Judiciary Committee reported the following favorably:
HB 783 with committee substitute

The above committee substitute was transmitted to the Office of the Speaker, subject to referral under Rule 7.18(c). Under the rule, HB 783 was laid on the table.

The Commerce Committee reported the following favorably:
CS/HB 867 with committee substitute

The above committee substitute was transmitted to the Office of the Speaker, subject to referral under Rule 7.18(c). Under the rule, CS/HB 867 was laid on the table.

The Education Committee reported the following favorably:
HB 953 with committee substitute

The above committee substitute was transmitted to the Office of the Speaker, subject to referral under Rule 7.18(c). Under the rule, HB 953 was laid on the table.

The Education Committee reported the following favorably:
CS/HB 1203 with committee substitute

The above committee substitute was transmitted to the Office of the Speaker, subject to referral under Rule 7.18(c). Under the rule, CS/HB 1203 was laid on the table.

The Education Committee reported the following favorably:
CS/HB 1213 with committee substitute

The above committee substitute was transmitted to the Office of the Speaker, subject to referral under Rule 7.18(c). Under the rule, CS/HB 1213 was laid on the table.

The Commerce Committee reported the following favorably:
CS/HB 1409

The above committee substitute was placed on the Calendar of the House.

Received February 17:

The Commerce Committee reported the following favorably:
CS/HB 343 with committee substitute

The above committee substitute was transmitted to the Office of the Speaker, subject to referral under Rule 7.18(c). Under the rule, CS/HB 343 was laid on the table.

Votes After Roll Call

[Date(s) of Vote(s) and Sequence Number(s)]

Rep. Jacobs:

Yeas—February 5: 415, 416, 417, 418, 419, 420, 421, 422, 423; February 13: 433, 436, 437, 439, 440, 441, 442, 443

Nays—February 13: 435

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